

REMARKS

The above-identified patent application has been reviewed in light of the Examiner's Action dated August 23, 2006. Claims 1, 9, 21 and 25 have been amended, without intending to abandon or to dedicate to the public any patentable subject matter. Claims 10 and 14 have been canceled. Accordingly, Claims 1, 4-9, 11-13, 15-19, and 21-29 are now pending. As set out more fully below, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

Initially, the Applicant would like to thank the Examiner for the courtesies extended during the telephone interview that was held on September 13, 2006, between Examiner Rowan and the undersigned. During that interview, distinctions between the invention as recited by the claims and the cited references were discussed. In addition, changes in claim language to express features of the invention in a preferred way, but without introducing new features that would require a new search, were discussed. The Amendments to the claims set forth herein have been made to make such changes. In addition, the Applicant emphasized that Claim 17, which has not been amended by this paper, should be allowed in its present form. The Examiner indicated that the revised claims and argument in support of the revised claims as set forth in this Amendment After Final, as well as the claims that the Applicant believes to be in condition for allowance in their present form, would be considered. However, no final agreement regarding allowable subject matter was reached.

The Office Action objects to the drawings as failing to show every feature of the invention specified in the claims. In particular, the recitation of "two spaced apart parallel lines" is referenced in connection with this objection. In the Amendment set forth above, the recitation of "parallel lines" has been removed from the claims. In addition, as discussed during the September 13, 2006 telephone conference, connection segments that are perpendicular to the longitudinal extend of the inner area are described in the specification at page 6, line 19 to page 7, line 4, and are illustrated in Figure 3 of the application as originally filed. Accordingly, reconsideration and withdrawal of the objection to the drawings is respectfully requested.

The specification stands objected for failing to provide proper antecedent basis for the recitation of "two spaced part parallel lines" in the claims. In the amendments set

forth above, reference to such lines has been removed. Accordingly, reconsideration and withdrawal of the objection to the specification is respectfully requested.

Claims 1, 4-7, 9-13, and 15-16 stand rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 2,999,621 to Kiser ("Kiser") in view of U.S. Patent No. 6,065,659 to Faz ("Faz"). In addition, Claim 8 stands rejected under 35 U.S.C. §103 as being unpatentable over Kiser in view of Faz and further in view of U.S. Patent No. 6,422,278 to Grogan ("Grogan"). Claims 14 and 17 -28 stand rejected under 35 U.S.C. §103 as being unpatentable over Kiser in view of Faz and further in view of U.S. Patent Application Publication 2003/0037480 to Davis ("Davis"), Claim 29 stands rejected stands rejected under 35 U.S.C. §103 as being unpatentable over Kiser, Faz, Davis, and further in view of U.S. Patent No. 5,052,555 to Harmon ("Harmon"). However, the invention as set forth in the pending claims is not taught, suggested or described by those references. Furthermore, there is no suggestion or motivation to make such a combination. In addition, even if a combination of these cited references was made, the invention as claimed would not be achieved.

Independent Claims 1, 9 and 25 are generally directed to a fishing line container assembly or tackle pack. The claims further recite a strap that can be placed in either an open or closed state (Claims 1 and 9), or a first mode in which the strap forms a closed loop or a second mode in which it does not (Claim 25). As specified in Claims 1 and 9, the strap is usable to join a spool to a flap of a fishing line compartment. A cover is fixed to the flap along lines or connection segments such that two edges of the cover are open, or such that first and second openings are defined. Accordingly, the cover forms a sleeve. Moreover, the cover operates to receive the spool of fishing line connected to the flap by the strap. As described in detailed below, such features are not taught, suggested, or described by the cited references, whether those references are considered alone or in combination.

Claim 17 is generally directed to a method for facilitating use of a fishing line by a fisher that includes inserting a strap through the bore of a spool, closing the strap to form a loop and to interconnect the spool to the interior surface of a compartment. The method also includes placing the spool under a cover, while the spool is interconnected to the interior surface of the compartment, wherein the spool is held between the cover and the

interior surface of the first compartment, wherein the strap is received by a first opening between said cover and said interior surface of said first compartment, and wherein the fishing line from the first spool is led from under the cover through a second opening between the cover and the interior surface of the first compartment. The method additionally includes threading the fishing line from the spool through a hole formed through a panel of the first compartment. The claim also recites that, after placing the spool under the cover, the first compartment is closed while the spool is under the cover and while the fishing line from the spool is threaded through the hole. Accordingly, Claim 17 recites a number of detailed steps for facilitating use of a fishing line. These steps are not taught, suggested or described by the cited references.

The primary references cited in connection with rejecting the claims are Kaiser and Faz. The Kaiser reference is directed to a fish and tackle container that comprises two box like compartments joined together by a hinge. Within one of the compartments, Kaiser describes the provision of arms 46 that are presumably resilient so that a spool of fishing line can be held under a pair of the arms 46. (Kiser, col. 3, lines 12-28; Fig. 3, 5 and 6.) Therefore, although Kiser shows a compartment with provision for carrying fishing line, the specific arrangement for connecting a spool of fishing line to a tackle pack recited by the pending claims is not present in Kiser.

The Faz reference is cited for showing a container 10 having a strap or fastening element 48 for holding a spool 50. (Faz, Fig. 4.) An elastic member 56 is cited in the Office Action as reading on the cover recited by the claims. However, the elastic member 56 is described in Faz as being stitched along three of its sides to define an upper end adapted to receive packages of alcohol wipes or the like. Accordingly, Faz does not show a cover comprising a sleeve that is open along opposite edges. In addition, there is no suggestion or motivation to position the elastic member 56 of Faz such that it could receive a portion of the strap 48. Instead, Faz treats the strap 48 as being sufficient for the purpose of securing a tape roll and discusses the elastic member as receiving packages of wipes, which do not have holes that could be used to secure those packages using a strap. Moreover, even if the elastic member and the strap 48 of Faz were rearranged as set forth in the claims pending in the application, the claimed invention would still not be achieved. Instead, the elastic member would be closed along three edges, preventing it

from functioning like the cover set forth in the claims. Moreover, this rearrangement of Faz would fail to include all of the elements recited by the claims. In particular, the requirement that the cover have two edges that are open would not be met.

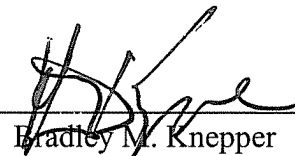
The Grogan reference is cited with respect to Grogan's use of a snap as fastening elements. Davis is cited for showing a fishing line container with holes through which fishing line is passed, and Harmon is recited for disclosing a fishing bag with zippered compartments. However, none of these references disclose the unique features of the claimed invention related to the recited strap and cover arrangement for securing a spool of fishing line, as discussed above.

Because, as discussed in detail above, the cited references do not teach, suggest or disclose all of the elements recited by the claims, the rejections of the claims should be reconsidered and withdrawn. Moreover, it is noted that the Amendments made to the claims in this paper simply substitutes terms for equivalent terms that are considered to be preferable in view of the specification. Accordingly, it is submitted that material changes to the claims, which might necessitate a new search, have not been made. Finally, Applicant notes that Claim 17 has not been amended, and that Claim 17 is believed to be in condition for allowance in its present form.

The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

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